



COMMONWEALTH of VIRGINIA  
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**MEMORANDUM**

**TO:** Kathryn Hayfield  
Commissioner  
Virginia Department for Aging and Rehabilitative Services

**FROM:** Vanessa Cordero MacLeod  
Assistant Attorney General

**DATE:** September 3, 2020

**SUBJECT:** *Protections of Participants in Human Research, 22 VAC 30-40*

I have reviewed the proposed amendments to 22 VAC 30-40. These amendments were approved by the Commissioner. This action is exempt from the operation of the Administrative Process Act and review by the Executive Branch under Virginia Code §§ 2.2-4006(A)(4)(a), as it is necessary to conform to changes in Virginia statutory law where no agency discretion is involved.

The Commissioner has the statutory authority to adopt these amendments under Virginia Code § 51.5-132. The proposed Regulations are constitutional and do not conflict with existing federal or state laws or regulations.